

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

C.S., an individual,

Plaintiff,

vs.

Subway Worldwide, Inc., Doctor's
Associates, LLC, Subway IP LLC,
Franchise World Headquarters, LLC,
GRB Investments, LLC, GRB Subway
Properties, LLP, and Midwest Subway
Development, LLP,

Defendants.

**JOINT MOTION TO AMEND
SCHEDULING/DISCOVERY PLAN**

Case No. 3:24-CV-31

COME NOW the parties, by and through their undersigned counsel, and pursuant to Fed. R. Civ. P. 16, hereby jointly move the Court to extend certain deadlines in this case as set forth below. This is the second request for an extension of these particular deadlines, and the parties respectfully submit that good cause exists for the extension requested. In support of their joint motion, the parties state as follows:

1. On March 12, 2025, counsel for the parties participated in a Scheduling Conference with the Court, during which they informed the Court of ongoing discussions relative to potential early mediation.

2. That same day, the Court entered a Scheduling Order (ECF No. 45) establishing case progression deadlines, including a deadline of May 16, 2025, for motions to join additional parties and to amend the pleadings. (*Id.* at pg. 7.)

3. Following entry of the Scheduling Order, counsel have met and conferred several times regarding the potential for an early mediation, the filing of an Amended Complaint by Plaintiff, and the corresponding anticipated filing of cross claims and third party claims by Subway Worldwide, Inc., Doctor's Associates, LLC, Subway IP LLC, and Franchise World Headquarters, LLC (the "Subway Defendants") (along with their Answer). Counsel have also participated in informal discovery, having exchanged substantial information and Plaintiff has provided relevant documents in anticipation thereof.

4. While the Parties' counsel were hopeful that an early mediation session could be scheduled in late-June/early-July (which formed the basis of their first joint motion to extend the deadlines identified herein to July 10, which the Court granted),¹ coordinating the schedules of multiple parties, insurance representatives, lawyers, and mediators has proved challenging. The parties are currently working to coordinate a date in early-to-mid-August.

5. As a result of their ongoing discussions, counsel continue to agree that formally adding new parties and claims might seriously hinder the potential for early mediation and would obviate the significant collaborative efforts they have made to date. Accordingly, counsel agree that good cause exists to amend the deadline for joining additional parties and amending pleadings as follows:

¹ See ECF No. 50.

Current Deadline

July 10, 2025

Amended Deadline

August 22, 2025

6. Given that the parties have worked collaboratively throughout the pendency of the case, given that the current request for an extension is narrowly circumscribed, and given that all other deadlines in the Scheduling Order remain unchanged, the parties submit that good cause exists for the requested extension.

WHEREFORE, the parties jointly move the Court to extend the existing deadline for joining additional parties and amending pleadings as set forth above.

Dated: July 8, 2025

MSB EMPLOYMENT JUSTICE LLP

/s/Christopher J. Moreland

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